

## Office of the Secretary, DOT

## § 207.1

- 207.8 Notice of proposed special services.
- 207.10 Prior authorization of long-term wet leases to foreign air carriers.
- 207.11 Charter flight limitations.
- 207.13 Terms of service.
- 207.14 Substitute transportation in emergencies.
- 207.16 Waiver.
- 207.17 Protection of customers' deposits.
- 207.18 Baggage liability.
- 207.19 Transportation of persons who may need help during aircraft evacuation.

### Subpart B—Provisions Relating to Pro Rata Charters

- 207.20 Applicability of subpart.

#### REQUIREMENTS RELATING TO AIR CARRIERS

- 207.21 Solicitation and formation of a chartering group.
- 207.22 Pretrip notification and charter contract.
- 207.24 Statement of Supporting Information.
- 207.25 Charter trips originating in the United States.
- 207.26 Air carrier to identify enplanements.

#### REQUIREMENTS RELATING TO TRAVEL AGENTS

- 207.31 Statement of Supporting Information.

#### REQUIREMENTS RELATING TO CHARTERING ORGANIZATION

- 207.40 Solicitation of charter participants.
- 207.41 Passengers on charter flights.
- 207.42 Participation of immediate families in charter flights.
- 207.43 Charter costs.
- 207.44 Statement of charges.
- 207.45 Passenger lists.
- 207.46 Application for a charter.
- 207.47 Statement of Supporting Information.

### Subpart C—Provisions Relating to Single Entity Charters

- 207.50 Applicability of subpart.
- 207.53 Statement of Supporting Information.

### Subpart D—Provisions Relating to Mixed Charters

- 207.60 Applicable rules.

### Subpart E—Direct Sales by Air Carriers

- 207.70 Applicability of subpart.
- 207.71 Terms of service.
- 207.72 Board powers.

APPENDIX A TO PART 207—ROUTE AIR CARRIER'S SURETY BOND UNDER PART 207 OF THE ECONOMIC REGULATIONS OF THE CIVIL AERONAUTICS BOARD (14 CFR PART 207)

APPENDIX B TO PART 207—STATEMENT OF SUPPORTING INFORMATION

AUTHORITY: Secs. 102, 204, 401, 403, 404, 407, 411, 416, 418, 1002 of Pub. L. 85-726, as amended; 72 Stat. 740, 743, 754, 758, 760, 766, 769, 771, 91 Stat. 1284, 72 Stat. 788; 49 U.S.C. 1302, 1324, 1371, 1373, 1374, 1377, 1381, 1386, 1388, 1482, unless otherwise noted.

SOURCE: ER-802, 38 FR 14157, May 30, 1973, unless otherwise noted.

### Subpart A—General Provisions

#### § 207.1 Definitions.

As used in this part, unless the context otherwise requires:

*All-cargo carrier* means an air carrier holding a certificate of public convenience and necessity issued pursuant to section 401(d) (1) or (2), which authorizes the carriage of property only or property and mail only.

*Base revenue plane miles* means revenue mileage operated by an air carrier in scheduled services, extra sections, and on-route charter trips or special services.

*Base revenue seat-mile* means the total available revenue seat-miles on flights operated by an air carrier in scheduled services, extra sections, and on-route charter trips or special services.

*Charter flight* means air transportation performed in accordance with § 207.11.

*Charter group* means that body of individuals who shall actually participate in the charter flight.

*Charter organization* means that organization, group, or other entity from whose members (and their immediate families) a charter group is derived.

*Charter trip* means air transportation performed in accordance with § 207.11.

*Combination carrier* means an air carrier holding a certificate of public convenience and necessity issued pursuant to section 401(d) (1) or (2) which authorizes the carriage of persons, property and mail or persons and property only.

*Islands of the Caribbean* means points in Jamaica, the Bahama Islands, Bermuda, Haiti, the Dominican Republic, Puerto Rico, the Virgin Islands, Trinidad and Tobago, the Cayman Islands,

## § 207.2

Aruba, the Leeward and Windward Islands, Barbados, and Curacao.

*Long-term wet lease* means a lease by which the lessor provides both an aircraft and its crew, which either (a) lasts more than 60 days, or (b) is part of a series of such leases that amounts to a continuing arrangement lasting more than 60 days.

*Mixed charter* means a charter, the cost of which is borne, or pursuant to contract may be borne, partly by the charter participants and partly by the charterer.

*Point* means any airport or place where an aircraft may be landed or taken off, including the area within a 50-mile radius of such airport or place.

*Pro rata charter* means a charter, the cost of which is divided among the passengers transported.

*Single entity charter* means a charter, the cost of which is borne by the charterer and not by individual passengers, directly or indirectly.

*Special services* are all services rendered in air transportation which are authorized by section 401(e)(6) of the Act by an air carrier holding a certificate of public convenience and necessity other than (1) services rendered in air transportation over the route or routes designated in its certificate(s), (2) charter services as defined in this section, and (3) services authorized by special exemption under section 416(b) of the Act.

*Travel agent* means any person engaged in the formation of groups for transportation or in the solicitation or sale of transportation services.

(Secs. 204, 401, 418, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 754, 91 Stat. 1278, 49 U.S.C. 1326, 1371, 1388)

[ER-802, 38 FR 14157, May 30, 1973, as amended by ER-1075, 43 FR 42740, Sept. 21, 1978; ER-1190, 45 FR 53363, Aug. 11, 1980; ER-1248, 46 FR 47766, Sept. 30, 1981]

## § 207.2 Applicability of part.

This part shall apply to all air carriers (other than Alaskan air carriers and air carriers certificated for supplemental air service) who hold currently effective certificates of public convenience and necessity issued by the Board pursuant to section 401 of the Act.

## 14 CFR Ch. II (1–1–98 Edition)

## § 207.3 Scope of authorization.

Charter trips and other special services may be performed by air carriers, subject to the limitations and regulations set forth in this part. The limitations and regulations herein specified as applicable to charter trips shall be applicable to all charter trips regardless of whether the authority to conduct such trips derives from section 401(e)(6) of the Act or the carrier's certificate of public convenience and necessity or from a special or general exemption issued by the Board.

[ER-1190, 45 FR 53363, Aug. 11, 1980]

## § 207.4 Payments to persons receiving commissions.

Payments for a U.S. originating charter flight made to any person to whom the carrier, directly or indirectly, has paid a commission or has agreed to pay a commission for that flight shall be considered payments to the carrier.

(Secs. 102, 204, 403, and 416 of the Federal Aviation Act of 1958, as amended by Pub. L. 95-504, 72 Stat. 740, 743, 758, 771, 92 Stat. 1731, 1732; 49 U.S.C. 1302, 1324, 1373, and 1386)

[ER-1126, 44 FR 33053, June 8, 1979]

## § 207.4a Written contracts with charterers.

Every agreement to perform a charter trip, except charters for the Department of Defense, shall be in writing and signed by an authorized representative of the air carrier and the charterer prior to operation of a charter flight: *Provided*, That where execution of a contract prior to commencement of flight is impracticable because the charter has been arranged on short notice, compliance with the provision hereof shall be effected within seven (7) days after commencement of the flight. The written agreement shall include, without limitation:

- (a) Date and place of execution of the contract or agreement;
- (b) Signature, printed or typed name of each signatory, and official position of each;
- (c) Dates of flights and points involved;
- (d) Type and capacity of aircraft: Number of passenger seats available or pounds of cargo capacity;